

UNITED STATES COURT  
IN THE WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

David Faber,

Plaintiff,

-vs-

Case No: 1:12cv537  
Honorable Robert J. Jonker

Bank of New York Trust Company  
N.A., Mortgage Electronic Registration  
Systems, Inc., and Terri L. Hibben,

Defendants.

\_\_\_\_\_  
David Faber, Plaintiff in Pro Per  
9448 California Road  
Union Pier, MI 49129-9449

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**STIPULATED PROTECTIVE ORDER**

**IT IS HEREBY STIPULATED AND AGREED**, by and between undersigned counsel,  
that the following Protective Order may be entered in the above-entitled matter.

DATED: September 23, 2012

BY: 

David Faber, in pro per

DATED: <sup>October</sup> September 10, 2012

PLUNKETT COONEY

BY: 

Robert A. Callahan (P47600)  
Attorneys for Defendants  
Bank of New York and MERS  
950 Trade Centre Way, Suite 310  
Kalamazoo, MI 49002  
**Direct Dial: 269/226-8856**

Dated: <sup>October</sup> September 10, 2012

KRIEG DEVAULT

BY: 

Michael J. Schmidt (P74037)  
Attorney for Defendant Hibben  
4101 Edison Lakes Parkway, Suite 100  
Mishawaka, IN 46545  
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**PROTECTIVE ORDER**

At a session of said Court, held in the United States  
District Court, Western District of Michigan, Southern  
Division, on this \_\_\_\_\_ day of \_\_\_\_\_,  
2012.

PRESENT: Hon. Robert J. Jonker, USDC Judge

This matter having come before the Court on the stipulation of the parties for a Protective Order, and the Court being fully advised,

**IT IS HEREBY ORDERED** that any and all documents produced by the Plaintiff in this litigation, either voluntarily, pursuant to formal request by the Defendants, or pursuant to Court Order, that are described as follows:

Records which disclose the financial condition of David Faber, either in the form of tax returns or schedules, or other documents produced, shall be subject to the following conditions:

1. The documents are limited to use in the case of *David Faber v. Bank of New York, et. al.*, Case No. 1:12cv537, currently pending in the United States District Court for the Western District of Michigan before the Honorable Robert J. Jonker.

2. The documents may be reviewed by Defendants' counsel and such persons as Defendants' counsel deems necessary for purposes of this litigation.

3. The documents may also be disclosed to witnesses during deposition proceedings or trial testimony; however, the witnesses may not leave the deposition with copies of the documents and are bound by the terms of this Protective Order.

4. No person, including Defendants' counsel or any expert witness retained by Defendant or Defendants' counsel, may retain a copy of the documents; all copies of the documents shall be returned to Plaintiff upon settlement of this matter or upon entry of a final judgment after all appeals have been exhausted.

5. Neither the actual documents, nor the information contained therein, may be used by any person for any purpose other than direct use in this litigation.

6. No provision of this Protective Order shall be deemed to constitute a waiver of any objections that Plaintiff may have to the production of any information requested by Defendants.

**IT IS SO ORDERED.**

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Hon. Robert J. Jonker  
USDC Judge

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